

ORIGINAL

(51)

5-10-02

SC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHAWN JORDAN

PLAINTIFF,

V.

ROBERT W. MEYERS,
SUPERINTENDENT, ET AL.

DEFENDENTS

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CIVIL NO. 1:00-CV-1387

PRSLC

Jaggan

FILED
HARRISBURG, PA

MAY 9 - 2002

Motion For Failure to Comply
With Court Order - Rule 37 Fed R.Civ.P.

MARY E. D'ANDREA, CLERK
Per gjh
Deputy Clerk

1. Plaintiff have requested numerous time for his Medical Records from Defendants, plaintiff have filed numerous of "Motions to Compelling Defendants" to cooperate with discovery.

Defendants have made clear, that they wish not to cooperate with discovery on the issue or matter of plaintiff medical records.

2. Plaintiff have try to obtain the information he seeks through Production of Document, Interrogatories/Production of Documents, to only lay-down a foundation to plaintiff medical condition, but defendants failer to cooperate have not allowed plaintiff to do so.

3. Defendants have conducted themselves unprofessional, and have wasted this courts as well as plaintiff time, if plaintiff have conducted himself in a unprofessional way, plaintiff would have be sanction or plaintiff case would have been dismissed.

4. Due to defendants failer to cooperate, defendants have been given numerous of chances to cooperate with plaintiff request for discovery on the issue of plaintiff medical records.

5. Plaintiff request this Court to enter an order under Rule 37 (b)(2)(A), Which reads: An order that the matters regarding which the order was made or any other designated facts shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order.